

#### **IV. REMARKS**

Claims 1-8 are pending in this application. By this Amendment, the specification, and claims 1 - 8 have been amended. Reconsideration in view of the above amendments and following remarks is respectfully requested.

Applicant acknowledges the election of claims 1-8.

In the Office Action, the drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include several reference signs mentioned in the description. By this amendment, the specification has been revised to eliminate this. (As an initial comment, Applicant notes that particular references to figure 1 in the Office Action appear to be indicating figure 2 instead, accidentally. Applicant has addressed the objection based on this assumption.)

In the Office Action, the specification is objected to because it was not written in a proper format. By this amendment, the specification has been revised according to the format suggested by the Office.

In the Office Action, Claims 1 and 2 are objected to because of several informalities. Claims 1 and 2 have been revised to incorporate the Office's suggestions.

Revisions to claims 3-6 are provided only to correct typographical errors.

In the Office Action, claim 1-6 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jin et al. (U.S. 6,350,665 B1), hereafter "Jin", in view of Odake et al. (U.S. 6,030,869), hereafter "Odake", and Fulford, Jr. et al. (U.S. 5,789,780), hereafter "Fulford." Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jin in view of Odake and

Fulford, and further in view of Ishimaru et al. (U.S. 6,365,472 B1), hereafter "Ishimaru."

Applicant submits that the pending claims are patentable and the rejections should be withdrawn.

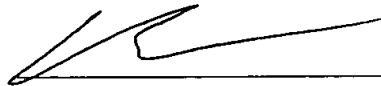
In particular, with regard to claim 1, Jin, Otake, and Fulford, either separately or in combination, fail to teach or suggest the claimed invention. In the claimed invention, a gate oxide layer is formed on a surface of a semiconductor body of silicon, on which gate oxide layer the gate electrode containing a polycrystalline silicon layer is provided locally. As the Office indicated in the Office Action, Jin fails to teach this. Otake also fails to teach forming a gate oxide over the surface of the semiconductor body. In Otake, between the gate electrode (5) and the surface of the semiconductor body (1), there are capacitive insulating film (4), floating gate electrode (3) and tunnel insulating film (2), descendingly. (Note, Col. 6 line 61 to Col. 7, line 5). There is no gate oxide layer, on which the gate electrode is provided locally. Fulford fails to overcome this shortcoming. Therefore, the disclosure of Jin, Otake, and Fulford does not make the claimed invention obvious.

Claims 2-8 are believed allowable for the same reasons, as well as for their own additional features.

In view of the foregoing, Applicants request withdrawal of the rejections.

Applicant respectfully submits that the application is in condition for allowance. Should the Examiner believe that anything further is necessary to place the application in better condition for allowance, he is requested to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



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